

**APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office..... NOV 3 1976

Returned to applicant for correction.....

Corrected application filed.....

Map filed..... July 23, 1965 under 22433

The applicant Nye County Development Co., Inc., c/o Anglo Fabrics Co.,
Steve Honig
1407 Broadway, of New York,
Street and No. or P.O. Box No. City or Town
New York 10018, hereby make S application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) Reno, Nevada - February 1962

1. The source of the proposed appropriation is underground source
Name of stream, lake or other source.

2. The amount of water applied for is 5.0 second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet..... acre-feet

3. The water to be used for Irr & Dom as per 11/29/76 phone call s/ J. Lane
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated) 320 Acres

(b) Stockwater (state number and kinds of animals to be watered).....

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: Lot 2, Section 33, T.16S.,

R.49E., MDB&M, or at a point from which the E $\frac{1}{4}$ corner of said
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated.
Section 33 bears North 88°44' East, a distance of 2575 feet

6. Place of use Lots 1, 2, 3, 4, 5, 6, 7 and 8 of Section 33, T.16S.,
Describe by legal subdivision, if on unsurveyed land it should be so stated.
R.49E., MDB&M

7. Use will begin about January 1st and end about December 31st, of each year.
Day and Month Day and Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled well, pipelines and
sprinklers
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$10,000
10. Estimated time required to construct works.....4 years
11. Estimated time required to complete the application to beneficial use.....5 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This is a refile on Permit No. 27917 and it is respectfully
requested that the map filed in support of Permit No. 27917
(See No. 22433) be used to support this application.

Applicant Nye County Development Co., Inc.

s/ R. LeRoy Givens

By R. LeRoy Givens, State Water Rights
c/o Boyle Engineering Corp. Surveyor
1209 S. Commerce St.
Las Vegas, Nevada 89102

Compared bs/lk

dc/ga

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit is issued subject to the final decision by the Supreme Court of the United States dated June 7, 1976 in the matter of Francis Leo Cappaert et al., v. United States et al., Nos. 74-1107 and 74-1304.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and

not to exceed 5.0 cubic feet per second, but not to exceed a yearly duty of 5.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before December 16, 1977

Proof of commencement of work shall be filed before January 16, 1978

Work must be prosecuted with reasonable diligence and be completed on or before December 16, 1978

Proof of completion of work shall be filed before January 16, 1979

Application of water to beneficial use shall be made on or before December 16, 1981

Proof of the application of water to beneficial use shall be filed on or before January 16, 1982

Map in support of proof of beneficial use shall be filed on or before January 16, 1982

Commencement of work filed JAN 31 1979

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

Recorded Bk. Page

County Recorder

IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD,
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 16th day of June,

A.D. 19 77

ROLAND D. WESTERGARD

State Engineer

WITHDRAWN BY APPLICANT

FEB 12 1980

STATE ENGINEER